



S/N 10/589,512

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Barris et al.	Examiner:	Clemente, Robert
Serial No.:	10/589,512	Group Art Unit:	1797
Filed:	August 15, 2006	Docket No.:	758.1916USWO
Title:	CRANKCASE VENTILATION FILTER		

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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL  
DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Dear Sir:

Petitioner, Donaldson Company, Inc., a corporation organized and existing under the laws of the State of Delaware and having its primary place of business at 1400 West 94<sup>th</sup> Street, Minneapolis, MN 55402 represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/589,512, filed on August 15, 2006 and entitled CRANKCASE VENTILATION FILTER (“present application”), by virtue of our assignment recorded at Reel 019281, Frame(s) 0859, copy attached.

Petitioner, Donaldson Company, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as shortened by any terminal disclaimer filed prior to the grant of any patent granted from pending second U.S. Patent Application Serial No. 11/883,690, filed on April 4, 2008, and entitled AEROSOL SEPARATOR; AND METHOD (“second application”) and hereby agrees that any patent so granted on the present application 10/589,512 shall be enforceable only for and during such

period that the legal title to said patent shall be the same as the legal title to any patent granted on the second application, this agreement to run with any patent granted on the present application 11/883.690 and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the present application that would extend to the full statutory term as shortened by any terminal disclaimer filed prior to the patent grant on the second application, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: October 30, 2009

Signed:   
Randall A. Hillson  
Applicants' Attorney

### ASSIGNMENT

WHEREAS, we, Marty A. Barris, residing at Sint Hubertusdreef 24, Overijse 3090 Belgium, Lesley Rusterholz, residing at 171 Vernon Street, St. Paul, Minnesota 55105, Steven Scott Gieseke, residing at 6239 Third Avenue South, Richfield, Minnesota 55423 and Joseph Israel, residing at 2520 Kipling Avenue, St. Louis Park, Minnesota 55416, made certain new and useful inventions and improvements for which we filed an application for Letters Patent of the United States on August 15, 2006, application Serial No. 10/589,512 which is entitled Crankcase Ventilation Filter.

AND WHEREAS, Donaldson Company, Inc., a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having an office and place of business at 1400 West 94th Street, Minneapolis, Minnesota 55440 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

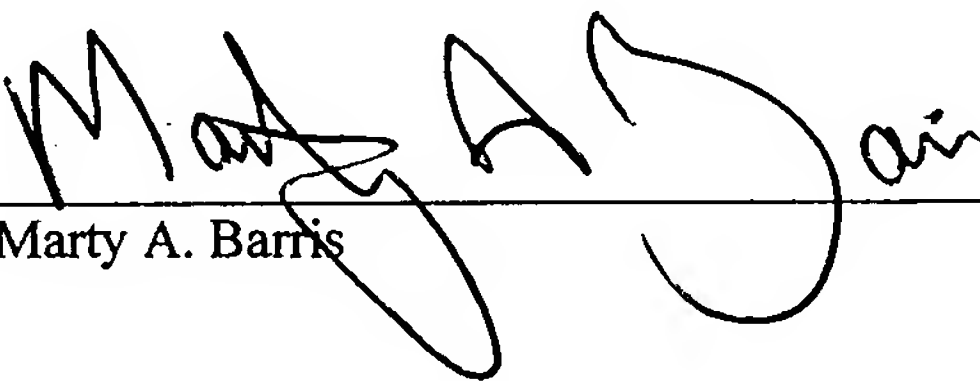
NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be

necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 17 day of November, 2006.

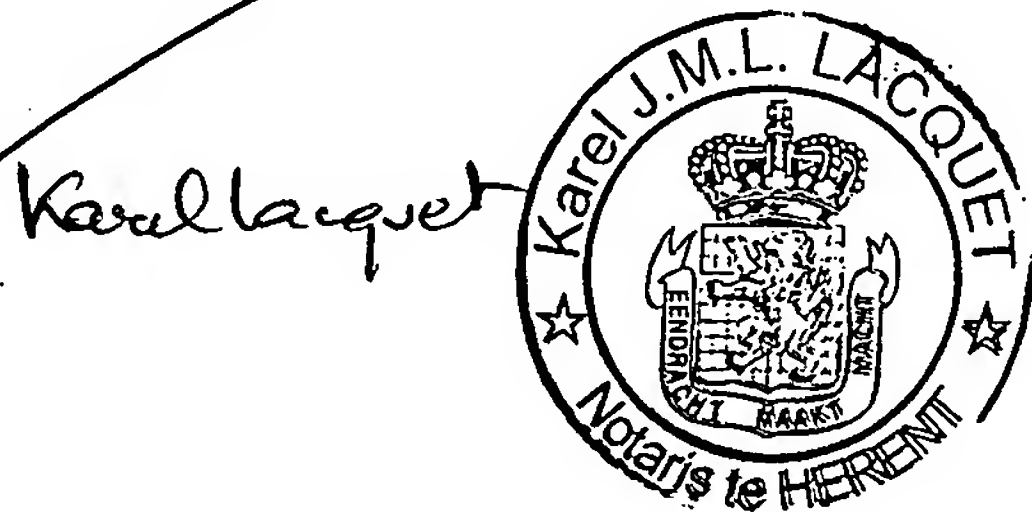
  
Marty A. Barris

STATE OF Belgium )  
COUNTY OF Herent ) ss.

On this 17 day of November, 2006, before me personally appeared Marty A. Barris to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

  
Notary Public



IN TESTIMONY WHEREOF, I have hereunto set my hand this 24 day of October, 2006

Lesley Rusterholz  
Lesley Rusterholz

STATE OF Minnesota )  
COUNTY OF Hennepin ) ss.

On this 24 day of October, 2006, before me personally appeared Lesley Rusterholz to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.



L. Russell  
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 14 day of September, 2006

Steven Scott Gieseke  
Steven Scott Gieseke

STATE OF Minnesota )  
COUNTY OF Hennepin ) ss.

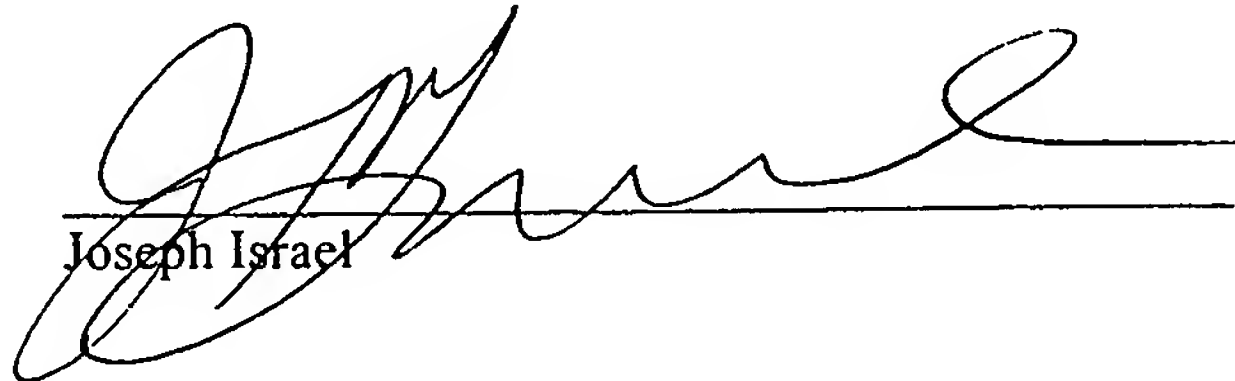
On this 14 day of September, 2006, before me personally appeared Steven Scott Gieseke to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

L. Russell  
Notary Public



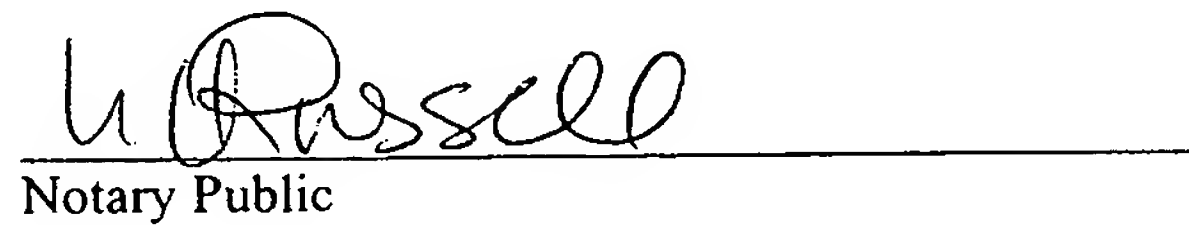
IN TESTIMONY WHEREOF, I have hereunto set my hand this 15 day of September, 2006.

  
Joseph Israel

STATE OF Minnesota )  
COUNTY OF Hennepin ) ss.

On this 15 day of September, 2006 before me personally appeared Joseph Israel to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

[SEAL]

  
Notary Public

